

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Maturana et al.

Serial No.: 10/808,680

Filing Date: March 5, 2004

Examiner: Van H. Nguyen

Art Unit: 2194

Confirmation No.: 6191

Title: *Agent-Equipped Controller Having Data Table Interface Between Agent-Type
Programming and Non-Agent Type Programming*

**TERMINAL DISCLAIMER TO OBVIATE AN
OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTIONS**

The owner, Rockwell Automation Technologies, Inc., of 100 percent interest in the instant application, 10/808,680, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 7,305,272 issued on December 4, 2007 and/or U.S. Patent No. 7,228,187 issued on June 5, 2007 and/or U.S. Patent No. 7,146,232 issued on December 5, 2006. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-56 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims

canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

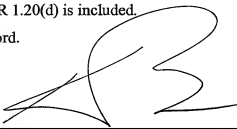
Documentary evidence establishing the necessary chain of title thereby authorizing the aforementioned disclaimer may be found in the files associated with the instant application, application serial no. 10/808,680 filed March 25, 2004; U.S. Application Serial No. 10/808,772 filed March 25, 2004 and issued as U.S. Patent No. 7,305,272 on, December 4, 2007; U.S. Application Serial No. 10/814,549 filed March 31, 2004 and issued as U.S. Patent No. 7,228,187 on, June 5, 2007; and U.S. Application Serial No. 10/808,999 filed March 25, 2004 and issued as U.S. Patent No. 7,146,232 on, December 5, 2007.

In accordance with the rules as set forth in the Manual of Patent Examination and Procedure (MPEP) section 804.02(II), this terminal disclaimer is not an admission as to the appropriateness of the underlying double patenting and/or obviousness rejections. This filing simply serves the statutory function of removing the rejections of double patenting, and raises neither a presumption nor estoppel on the merits of the rejections.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Terminal Disclaimer fee under 37 CFR 1.20(d) is included.

The undersigned is an attorney of record.

A handwritten signature in black ink, appearing to read 'Keith Baxter', is written over a horizontal line.

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